



DEPARTMENT OF THE ARMY
INSTALLATION MANAGEMENT COMMAND
HEADQUARTERS, UNITED STATES ARMY GARRISON-DETROIT ARSENAL
6501 E. ELEVEN MILE ROAD
WARREN MI 48397-5000

IMNE-MIG-EEO

FEB 13 2009

MEMORANDUM FOR U. S. Army Garrison-Detroit Arsenal (USAG-DTA) Associates

SUBJECT: Policy Memorandum #12, Reasonable Accommodation Policy

1. REFERENCE.

- a. Americans with Disability Act, Titles I and V, of 1967, as amended
- b. Rehabilitation Act of 1973, Section 508 as amended
- c. Department of Defense, Computer/Electronic Accommodations Program Technology Evaluation Center (CAPTEC)
- d. Title VII of the Civil Rights Act of 1964, as amended
- e. 29 C.F.R Part 1630, 29 C.F.R Part 1640, and 29 C.F.R Part 1641
- f. AR 690-12, Equal Employment Opportunity (EEO) and Affirmative Action, 4 Mar 88
- g. AR 690-600, EEO Discrimination Complaints, 9 Feb 04

2. PURPOSE. To provide EEO guidance to all Garrison personnel assigned to Detroit Arsenal.

3. APPLICABILITY. This policy is applicable to all civilian personnel assigned to and/or under the operational control of the USAG-DTA.

4. POLICY. Leaders within the Garrison will ensure all employees assigned are aware of reasonable accommodations.

a. Title I of the Americans with Disabilities Act of 1990 prohibits private employers, state and local governments, employment agencies and labor unions from discriminating against qualified individuals with disabilities in job application procedures, hiring, firing, advancement, compensation, job training, and other terms, conditions, and privileges of employment. The Americans with Disability Act (ADA) nondiscrimination standards also apply to federal sector employees under section 501 and 508 of the Rehabilitation Act, as amended, and it's implementing rules.

b. Title V of the Americans with Disabilities Act of 1990 contains miscellaneous provisions which apply to Equal Employment Opportunity Commission enforcement of Title I and

establishes a mechanism for technical assistance along with specific instructions to many Federal agencies required to implement the Act. Additionally, Title V includes a provision prohibiting either coercing or threatening or retaliating against the disabled or those attempting to aid people with disabilities in asserting their rights under the ADA.

c. The Garrison EEO Office fully complies with the reasonable accommodation requirements of the Rehabilitation Act. Reasonable accommodations will be provided to qualified employees or applicants with disabilities, unless doing so would cause an undue hardship.

d. The Garrison is required to make a reasonable accommodation to the known disability of a qualified applicant or employee if it would not impose an "undue hardship" on the operation of the employer's business. Undue hardship is defined as an action requiring significant difficulty or expense when considered in light of factors such as an employer's size, financial resources, and the nature and structure of its operation.

e. The Garrison is not required to lower quality or production standards to make an accommodation, nor is an employer obligated to provide personal use items such as glasses or hearing aids.

f. All managers and supervisors must ensure that individuals with disabilities are provided reasonable accommodations and access to facilities when necessary. One way of doing this is by contacting the Computer/Electronic Accommodations Program (CAP). CAP provides free computer electronic technology services/equipment to Army employees with disabilities, at no cost to the agency.

g. A request for reasonable accommodation is a statement that an individual requires an adjustment or change to work conditions, in an application process, in a benefit or privilege of employment for a reason related to a disability. The reasonable accommodation process begins as soon as the request for accommodation is made. The enclosure establishes procedures for processing requests for accommodation.

h. The Garrison EEO Office is responsible for maintaining records of all requests for reasonable accommodation to ensure accurate records on accommodations provided to the workforce.

5. PROCEDURES. A copy of this policy statement will be posted in Directorate's areas of responsibility, on all official bulletin boards, websites and made available upon request.

6. The Garrison Section 508 Coordinator is Deborah Durr, DOIM, IMWE-MIG-IMS, at (586) 574-4116, DSN 786.


7. PROPONENT. The Equal Employment Opportunity (EEO) Office is the proponent for this USAG-DTA policy. POC is the EEO Office, IMNE-MIG-EEO, at commercial (586) 574-8354, or DSN 786-8354.

IMNE-MIG-EEO

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Encl

Procedures for Processing Handout


BRENDA LEE MCCULLOUGH
Garrison Manager



**U.S. Army Garrison - Detroit Arsenal
Installation Management Command - IMCOM
Office of Equal Employment Opportunity**



PROCEDURES FOR PROCESSING REQUESTS FOR ACCOMMODATIONS

An individual with a disability is a person who:

- Has a known/documented physical or mental impairment that substantially limits one or more major life activities;
- Has a record of such an impairment, identified in the personnel database; or
- Is regarded as having such an impairment; it is the employee responsibility to provide sufficient supporting documents to the agency.

A qualified employee or applicant with a disability is an individual who, with or without reasonable accommodation, can perform the essential functions of the job in question. Reasonable accommodation may include, but is not limited to:

- Making existing facilities used by employees readily accessible to and usable by persons with disabilities;
- Job restructuring, modifying work schedules, reassignment to a vacant position;
- Acquiring or modifying equipment or devices, adjusting or modifying examinations, training materials, or policies, and providing qualified readers or interpreters.

It is the responsibility of the employee or applicant to inform the employer that an accommodation is required to perform the essential functions of the job. The requestor does not have to use specific words such as "reasonable accommodation, disability, or Rehabilitation Act." The request may be oral or in writing and may be from the individual or from another individual acting on their behalf, such as a supervisor, a health professional, or a family member. Requests for accommodation may include providing job restructuring, leave, modified or part-time work schedule, modified workplace policies, reassignments, or equipment.

The request for accommodation from applicants will be handled by the Civilian Personnel Advisory Center (CPAC) who is responsible for the recruitment and/or selection action. Requests for accommodation from Garrison employees will be handled by the immediate supervisor, unless the request is one which should be elevated to a higher level such as those involving personnel actions, accessible parking, building modifications, etc.

The request for adaptive equipment, including information technology and communications equipment, or specially designed furniture and other assistive technology, will be coordinated through the EEO office. The EEO office will coordinate with the appropriate agencies, i. e., DOIM Section 508 Coordinator and DoD Computer/Electronic Accommodation Program (CAP).

When accommodations cannot be provided to employees by the Directorate, the EEO office will assist with coordinating reasonable accommodations. Requests for sign language interpreters will be submitted to terrell.c.sadler@us.army.mil; the EEO office will coordinate through the appropriate interpreter agencies and provide a confirmation within 3 business days.

The request for removal of architectural barriers, including reconfigured work spaces, and requests for accessible parking will be coordinated with the EEO office. The reasonable accommodation will be coordinated with the different forums, i.e., CPAC, Directorate of Emergency Service, Legal Office and the Garrison Command Group.

The EEO staff member receiving a request for reasonable accommodation will determine which office will be responsible for handling it. The request will be forwarded to the appropriate office for processing as soon as possible, but not later than 5 business days. Reasonable accommodations that can be processed by the immediate supervisor, where no medical documentation is required and where no extenuating circumstances apply, if approved, must be provided in no more than 15 business days from the date of the request. If the deciding official is not the employee's immediate supervisor and the decision requires coordination with another organization, the determination must be provided within 20 business days from the date the request was initially made. Where extenuating circumstances are present, the time for processing a request for reasonable accommodation and providing the accommodation will be extended as necessary. Where it is necessary to obtain medical information to determine whether the requesting individual has a disability and/or to identify functional limitations, the deciding official will contact the requestor to provide medical documentation as soon as possible before the expiration of the 15-day period.

As soon as the deciding official determines that a reasonable accommodation will be provided, that decision should be immediately communicated to the qualified individual. If the accommodation cannot be provided immediately, the deciding official must inform the individual of the projected timeframe for providing the accommodation. When a deciding official determines a request for reasonable accommodation will be denied, he or she must notify the individual in writing of the denial. The explanation for the denial should be written in plain language, clearly stating the specific reasons for the denial. All denials must inform the individual that he or she has a right to file an EEO complaint.